

Objection to Drawings and Rejection under 35 USC 112, first paragraph:

A Replacement Sheet 1/2 of the drawings is attached to this paper with FIG. 1 revised to illustrate the heat exchanger 8 being arranged in the exhaust-steam region 7, as is included in the claims, thereby overcoming the objection to the drawings.

This change is supported in the penultimate paragraph 0019 of the Substitute Specification where it states "A heat exchanger 8 is arranged in the exhaust-steam region 7." No new matter is added.

The heat exchanger does not have to be arranged in the exhaust-steam region 7, as further stated in paragraph 0019 of the specification, but rather it can be in the region 7 or it can be outside the region 7. The claimed and now-illustrated optional embodiment is but one of two embodiments described in the as-filed application. Thus, one skilled in the art can appreciate the claimed invention and the rejections under 35 USC 112 should be withdrawn.

Response to Rejection Under Section 102(b):

Claims 1, 3-7, 9, 11 and 13-14 are rejected as being anticipated by Warren. MPEP §2131 provides that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. The identical invention must be shown in as complete detail as contained in the claim. The elements must be arranged as required by the claim.

Each of the independent claims 1, 7 and 11 include the limitation that the exhaust region of the turbo machine within which the heat exchanger is disposed is defined by a housing of the turbo machine. Warren teaches away from this limitation by describing the placement of a heat exchanger in a downstream location from the turbo machine within a cross-over pipe between the turbo machine and a downstream reheater. The present invention improves upon that prior art arrangement by placing the heat exchanger in a location wherein the length of associated piping is minimized such that the cooling steam is virtually generated by the turbo machine itself. (see English translation specification page 2, lines 31-32 and page 3, lines 36-37)

The Examiner's interpretation that the turbomachine of Warren itself should be interpreted as including the associated piping is inconsistent with the generally use of such terminology in the art. The components within a turbine casing are generally treated as a unit and are treated

Serial No. 10/791,088  
Atty. Doc. No. 2002P18158US

separately from the associated piping in the power generation industry with regard to installation, warranties, service and maintenance, etc.

Accordingly, Warren does not support the rejection under 35 USC 102, and reconsideration and withdrawal of the rejection under 35 USC 102 is respectfully requested.

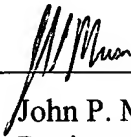
Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action have been overcome and that the application is now placed into condition for allowance.

Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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